

From: Pa4furs@cs.com
Sent: Monday, April 10, 2006 12:21 PM
To: philwenrich@comcast.net
Cc: ChaddsFordTwp@comcast.net
Subject: March BOS Minutes
Draft of 4/5/06

**Chadds Ford Township Board of Supervisors Meeting
March 1, 2006
M I N U T E S**

OFFICIALS PRESENT:

Deborah Love D'Elia, Chairman
George M. Thorpe, Vice Chairman
Garry Paul, Supervisor
Hugh A. Donaghue, Township Solicitor
Joseph A. Mastronardo, Township Engineer
Richard J. Jensen, Building Inspector/CEO
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER

Chairman Deborah Love D'Elia called the meeting to order at 7:30 PM. The pledge of allegiance was recited. A public hearing regarding adoption of the proposed Pennsylvania Scenic Byway Commission ordinance was held at 7:00 PM.

Mrs. Love D'Elia said Township officials are investigating methods to improve the acoustics in the meeting room.

Mr. Thorpe identified the two exits to be used in case of an emergency.

STATE POLICE REPORT

No report was available.

APPROVAL OF MINUTES – February 1, 2006 Draft of 3/1/06

Minutes of the February 1, 2006, meeting were reviewed by the Supervisors.

MOTION TO APPROVE MINUTES OF FEBRUARY 1, 2006

Upon motion and second (Thorpe, Paul), the Board of Supervisors approved minutes of the February 1, 2006 meeting, draft dated 3/1/06.

REPORTS

Two or more Supervisors were together on the following dates during February, 2006:

- On February 6th, 9th and 21st Chairman Love D'Elia, Supervisor Paul, Richard Jensen and Maryann Furlong met to discuss furniture, telephones, technology and acoustics for Turner's Mill. Mr. Barakat was also present at two of those meetings, and
- On February 7th Chairman Love D'Elia and Roadmaster Barakat attended a public hearing at Concord Township regarding a proposed hospital. A Chadds Ford official will attend future meetings if the project moves forward.

Supervisor Paul stated that a number of current and proposed projects in Concord Township will directly affect Chadds Ford and suggested residents lend support to Concord residents in voicing opinions regarding the increased development. Concord Township Supervisors' meetings are held the first Tuesday of each month at the Township Building on Smithbridge Road. A meeting is scheduled on March 28th to discuss zoning and on March 7th, 7:00 PM, at the Holiday Inn, Route 202 and Route 1, to discuss a proposed hospital.

TREASURER'S REPORT

Mrs. Furlong reported the following figures for the month of February, 2006:

Total deposits to General Fund:	\$	45,009.15
Total disbursements General Fund:	\$	67,719.74
Total disbursements Escrow Fund:	\$	36,485.00
Cash Accounts Balances	\$	1,014,857.11

Total expenses for the Turner's Mill project for the month of February, 2006 were minimal since no subcontractors were paid.

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MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second (Thorpe, Paul), the Supervisors unanimously voted to approve the Treasurer's Report for February, 2006, and authorized payment of bills in the amount of \$67,719.74.

ROADMASTER'S REPORT

Joe Barakat, Roadmaster, presented his report for the month of February, 2006. A copy follows the minutes.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen presented the Building Inspector/Code Enforcement Officer's report for the month of February. A written report and accompanying checks were submitted.

TOWNSHIP ENGINEER REPORT

Joe Mastronardo reviewed his written report for activities during the past month. The Township Engineer met with Kelly Associates to continue the transition process and has prepared a review of Township roads in preparation of the 2006 Road Program.

Recent Act 537 Plan revisions may be eligible for a fifty percent reimbursement from DEP. Mr. Mastronardo asked the Board for authorization to apply.

MOTION TO AUTHORIZE PENNONI ASSOCIATES TO APPLY FOR ACT 537 REIMBURSEMENT FROM DEP

Upon motion and second (Paul, Thorpe), the Supervisors authorized the Township Engineer to review Township records to identify those expenses eligible for Act 537 reimbursement from DEP and to make such application on behalf of the Township.

Wawa Corporation is submitting a Highway Occupancy Permit to PennDOT in order to install a sanitary sewer force main for the project at Dilworthtown Road. DEP prefers the municipality to be the permittee. In the event of damage to the system, the Township would be responsible for repairs, but costs would be assessed against WAWA as the owner of the sewer line. Mr. Jensen suggested an escrow and management fee be established if the Township is to be the permittee. Mr. Donaghue will clarify the matter.

The Township Engineer met with the Chadds Ford Inn applicant several times during February.

After inspection and review, the Township Engineer recommended approval of Dickinson Development's request for a reduction in the improvement security escrow for Marshall Estates.

***MOTION TO APPROVE IMPROVEMENT SECURITY ESCROW RELEASE #1 –
DICKINSON DEVELOPMENT COMPANY/MARSHALL ESTATES***

Upon motion and second (Thorpe, Paul), the Board of Supervisors approved Escrow Release #1/Improvement Security Escrow for the Marshall Estates project in the amount of \$16,260.00.

PLANNING COMMISSION

Mr. Taylor, Planning Commission Chairman, reported on the Planning Commission meeting of Wednesday, February 8, 2006. A draft of the minutes follows.

ZONING HEARING BOARD

Mr. Wandersee informed the Board that there was no Zoning Hearing Board meeting in February. The next hearing will be on the Endo III application and is scheduled for March 15, 2006.

HARB

Mr. Jensen distributed copies of a HARB application submitted by Joseph Grace for renovations to the Baldwin Building. Two meetings had been held with the applicant.

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Some of the requests were land development issues that must be handled as part of a land development plan, first going through the Planning Commission review process prior to Board consideration. After discussion as to various options, Board members tabled the matter until next month.

SEWER AUTHORITY

Mr. Del Rossi presented the monthly report for the Sewer Authority. A copy follows.

OPEN SPACE COMMITTEE

Chairman Debbie Reardon submitted the February, 2006 report. A copy follows.

Mrs. Reardon reported that a meeting was held with Brandywine Conservancy representatives to discuss options for the drafting of an Open Space Plan.

Proposed renovations to the bridge near Frolic Weymouth's Big Bend property were discussed. Mr. Thorpe met with State Representative Stephen Barrar and Chris Ross, Supervisor from Pennsbury Township several years ago to discuss the project. PennDOT representatives had made a commitment to keep the renovation design appropriate to the area.

FIRE MARSHALL

No report was available.

EMERGENCY MANAGEMENT COORDINATOR

No report was available.

PUBLIC COMMENT

Mr. Baily, 1 Summit Drive asked if there is anything the Township can do to improve conditions at the "C Harry" business on Route 202 and a private residence on the corner of Summit Drive and Route 202. Mr. Jensen responded that other than a trash issue, C Harry is within the parameters of a court order issued several years ago. As to the private residence, Mr. Jensen will review building codes for possible violations. Don White, 30 Longview Road, lives across the street from the property and has counted seven vehicles in the side and back yards.

Linda Stewart, 14 Longview Road, reported that the "psychic reader's" site on Route One apparently doesn't have a trash hauler and instead stores trash in a pickup truck until it is full. Ms. Stewart asked if this is in violation of Township codes. Mr. Donaghue responded that trash must be removed but not necessarily by a private hauler. Mrs. Love D'Elia asked Mr. Donaghue and Mr. Jensen to look into the matter and suggest appropriate action.

SPECIAL PRESENTATION – EXTRAORDINARY CITIZEN AWARD

Chairman Love D'Elia made a special presentation to Chadds Ford resident Dr. Kayta Curzie Gaydos for her extraordinary efforts to assist the victims of Hurricane Katrina. Dr. Gaydos has traveled to Louisiana twice and spent at least four weeks there to help. In remarks to those present, Dr. Gaydos thanked Township officials for the recognition and asked others to do whatever is within their means to help also.

OLD BUSINESS

TOLL BROTHERS FOLLOW UP REPORT – SUMMIT DRIVE

A representative of Toll Brothers was asked to be present to follow up on comments made at the February 1st Board meeting.

The following comments were made:

- Roger Bailey, 1 Summit Drive, said that good changes have taken place with only one violation of the “do not enter” restriction on Summit Drive.
- Ann Pounds, 15 Longview Drive, asked if Toll has an agreement to use Heyburn Road for construction vehicle access to the site. Mr. Donaghue responded that Toll Brothers has a limited window of time to use Heyburn Road. Mr. Mastronardo added that

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Road “A” is now dry and construction vehicles are able to navigate the surface. Road “A” should be paved within the next two weeks.

Mr. Jensen has issued one citation. Mrs. Love D’Elia said that there have been some start time issues which have been reported to Toll.

Debbie Reardon, Tally Ho Drive, remarked that Heyburn Road has suffered some abuse on the margins and is dirty at times. Mr. Donaghue said the Developer’s Agreement calls for Toll to stabilize the portion of Heyburn Road that abuts the development prior to completion.

- Ann Pounds suggested that the Township hire a firm to monitor the development. Mr. Donaghue replied that both the Township Engineer and Building Inspector monitor the job on a daily basis.

- Carol Carter, 9 Summit Drive, stated that some damage to the entrance of Summit Drive has occurred with ruts on the sides of the road and sign stakes. Mrs. Carter asked if problems will be resolved when the development is finished. Mrs. Love D’Elia replied that damage to the road will be addressed. Mr. Jensen will try to get C Harry to remove the stakes.

- Mr. Wendell, 6 Summit Drive, thanked Mr. Jensen and Toll Brothers for resolving a problem with blowing trash. In response to a question from Mr. Wendell, Mr. Donaghue advised that it is okay to call the State Police when questionable people want to access the property. Mr. Thorpe asked Mr. Wendel not to have him arrested since he drives up on Sunday mornings to look.

Dave Hopkins, Toll Representative, was present and stated that the 100 foot buffer is intake and nothing has been disturbed. Some people are apparently parking on Summit Drive to look at the houses. Mr. Hopkins said he is aware of the problem and has advised people not to park there. Hopefully, the opening of Road “A” will resolve the issue.

Linda Stewart, 14 Longview Road, asked if blasting is going on. Mr. Jensen replied that it is. Mr. Paul congratulated Richard Schwartzman on his recent article and encouraged residents to attend meetings. Mrs. Love D’Elia had sent a letter reminding Summit and Longview residents to contact the Township if issues occur during month.

NEW BUSINESS

RAVEN'S CREST LITIGATION

Mr. Donaghue reported that an agreement in principal has been reached regarding the Raven's Crest litigation. A lis pendens motion should be filed with the Delaware County Court of Common Pleas. The Township asked for Board approval to do so.

MOTION TO AUTHORIZE FILING OF LIS PENDENS

Upon motion and second (Thorpe, Paul), the Board of Supervisors authorized the Township Solicitor to file a lis pendens on behalf of the Township.

PECO ENERGY GREEN REGION GRANT PROGRAM RESOLUTION

Members of the Township's Open Space Committee had made application for a Green Region grant to help fund the writing of an Open Space Plan. The application requires adoption of a resolution in support thereof.

MOTION TO APPROVE RESOLUTION 2006-5 GREEN REGION GRANT PROGRAM APPLICATION

Upon motion and second (Paul, Thorpe), the Board of Supervisors authorized and requested the Open Space Committee to take all steps necessary to make timely application for a PECO Energy Green Region Grant on behalf of the Township.

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Mr. Donaghue applauded members of the Open Space Committee for moving forward with the plan.

BRANDYWINE VALLEY SCENIC BYWAY COMMISSION ENABLING ORDINANCE 113

Mr. Donaghue introduced proposed Ordinance 113, explaining that the ordinance will authorize entrance into an intergovernmental agreement establishing the Brandywine Valley Scenic Byway Commission with the Townships of Birmingham, East Bradford, East Marlborough, Kennett, Pennsbury and Pocopson. The purpose of the Commission is to "study, advocate for, seek funding for, and implement Township approved plans for the improvement and protection of the Brandywine Valley Scenic Byway." A public hearing on the ordinance was held at 7:00 PM this evening.

MOTION TO APPROVE ORDINANCE 113 – BRANDYWINE VALLEY SCENIC BYWAY COMMISSION

Upon motion and second (Paul, Thorpe) the Board of Supervisors adopted Ordinance 113, authorizing Chadds Ford Township to enter into an intergovernmental cooperation agreement establishing the Brandywine Valley Scenic Byway Commission.

BRANDYWINE VALLEY SCENIC BYWAY COMMISSION INTERGOVERNMENTAL COOPERATION AGREEMENT

The Intergovernmental Cooperation Agreement sets forth the terms and conditions that will govern the formation and operation of the Commission. It is anticipated that all seven municipalities with roadways designated as Pennsylvania Scenic Byways will also enter into the Agreement.

MOTION TO ENTER INTO THE BRANDYWINE VALLEY SCENIC BYWAY COMMISSION INTERGOVERNMENTAL COOPERATION AGREEMENT

Upon motion and second (Paul, D'Elia) the Board of Supervisors approved Chadds Ford Township's inclusion in the BVSBC's Intergovernmental Cooperation Agreement.

The Supervisors thanked members of the Open Space Committee for their work on behalf of the Township. .

SALT CONTRACT PARTICIPATION AGREEMENT RESOLUTION 2006-7

Vice Chairman George Thorpe explained that the Pennsylvania Department of General Services offers a program whereby municipalities may purchase deicing salt at a reduced rate. The Township had participated in the program for the 2005/2006 winter season and wishes to renew the contract.

MOTION TO APPROVE 2006/2007 SALT CONTRACT PARTICIPATION AGREEMENT

Upon motion and second (Thorpe, Paul) the Board of Supervisors approved the Salt Contract Participation Agreement and authorized Roadmaster Joe Barakat to execute the contract and submit same to the Department of General Services.

ESCROW RELEASES

After review for outstanding bills and further review by Mr. Jensen, the Township Secretary recommended a number of escrows be released. Mr. Thorpe read from the Treasurer's Report as follows:

APPLICANT/TWP	ESCROW TYPE	ESCROW AMOUNT	
CHECK AMOUNT			
Inns of Distinction	Grading	\$800.00	\$800.00
Petrikin, Wellman	Conditional Use	\$900.00	\$900.00
Osborne	BOS Appeal	\$750.00	\$750.00
PW Design, LLC	ZHB	\$750.00	\$653.60
CF Township	PW Design o/s bills		\$ 96.40
CF Township	Hannum o/s bills	\$700.00	\$700.00
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CF Township	Hannum o/s bills	\$700.00	\$700.00

TBF Development	Grading	\$700.00	\$663.00
CF Township	TBF o/s bills		\$ 37.00
Jay March Builders	Grading	\$700.00	\$457.01
CF Township	Jay March o/s bills		\$242.99
Jay March Builders	Grading	\$700.00	\$264.23
CF Township	Jay March o/s bills		\$435.77
Longview Builders	SD/LD Application	\$3750.00	
\$3573.60			
CF Township	Longview o/s bills		\$176.40
Henderson	Grading	\$700.00	\$700.00
Henderson	Grading	\$700.00	\$700.00
Henderson	Grading	\$500.00	\$500.00
Walker	ZHB Appeal	\$750.00	\$424.43
CF Township	Walker o/s bills		\$325.57
Dambro	Grading, Lot #9 Harvey	\$800.00	\$800.00
Toll Brothers	ZHB Escrow/Signs	\$750.00	\$490.91
CF Township	Toll o/s bills		\$259.09
Dickinson	SD/LD Application	\$4875.00	\$4875.00
Ruddy	Grading	\$700.00	\$618.40
CF Township	Ruddy o/s bills		\$ 81.60
Dickinson	Release #1/ISE		
\$16260.00			

MOTION TO APPROVE RELEASE OF ESCROW FUNDS

Upon motion and second (Thorpe, Paul), the Supervisors authorized release of the escrow funds listed above conditioned upon payment of all outstanding bills. The Dickinson Release #1 had already been approved as part of the Engineer's report. All other escrow releases totaled \$20,225.00.

DEDICATION CEREMONY FOR TURNER'S MILL

Chairman Love D'Elia announced that date of May 6th has been selected for the formal dedication of the new municipal building. More details will follow.

The Township is also sponsoring a logo contest and any and all artists are invited to participate. Information may be viewed at logo@chaddsfordpa.net. Submissions must be dated by April 3rd.

There being no further business, the meeting was adjourned at 9:18 PM.

Respectfully submitted,

MARYANN D. FURLONG,
Township Secretary

